

### REMARKS


Claims 265 to 267 are pending in the application, all of which are independent. Claims 13, 14, 37, 44, 102, 103, 117, 124, 171, 172, 206, 207, 250 and 251 are cancelled without prejudice or disclaimer of the subject matter contained therein. Entry of this Amendment and early passage of application to issue are respectfully requested.

In view of the foregoing cancellation of claims, the Restriction Requirement is not seen to be applicable. In a telephonic interview conducted November 12, 2003, the Examiner confirmed that this procedure was acceptable.

However, Applicants note that the pending claims, which are directed to SEQ ID NO. 35 and SEQ ID NO. 36, all relate to clone bu45\_2. Since SEQ ID NO. 36 is the predicted amino acid sequence of nucleotide sequence SEQ ID NO. 35, it is not believed that there would be undue burden in examining all of the pending claims in a single application.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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